

REMARKS

1. Summary of the Office Action

Claims 1-17, 19, and 20 stand rejected under § 102(e) as allegedly being anticipated by U.S. patent no. 6,023,499 (hereinafter "Mansey").

Applicants respectfully traverse this rejection for the reasons set out below, and ask the Examiner for reconsideration.

To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claims 1-8

Claim 1 relates to:

"A system for accessing an electronic network with an electronic terminal via a service provider, said electronic terminal having an associated identifier, said system comprising:

an **access station**, wherein said electronic terminal initially links with said access station via a **first communication** link and wherein said identifier associated with said electronic terminal is transmitted to said access station, wherein said access station establishes an account based upon said identifier and transmits connection information back to said electronic terminal for use in establishing a **second communications link** between said electronic terminal and said **service provider**, wherein a second communications link is initiated between said electronic terminal and said service provider based upon said connection information, and **wherein said**

service provider monitors a time of said second communications link and transmits data indicative of said time to said access station.”

Thus, claim 1 of the present invention includes an electronic terminal that initially links to an access station via a first communication link. The access station then establishes an account based on an identifier from the electronic terminal and then **transmits connection information** back to said electronic terminal for use in establishing a **second communication link between said electronic terminal and said service provider**. The second communication link is based on the **connection information received from the access station** and the **service provider monitors a time of said second communications link and transmits data indicative of the time to the access station**. These features are not described or even suggested in Mansey.

Mansey “provides a technique for real-time monitoring of charges for using a communication network service, thereby enabling a user to continuously know the charges incurred during each usage. The user also is able to define a charge limit prior to using the service and the usage terminates automatically when the accumulated charge reaches that limit. The present method is particularly adapted to monitoring charges associated with a telephone conference call.” (See abstract).

Mansey does not disclose or even suggest all the features of claim. For example, Mansey does not disclose or even suggest:

- **an identifier** associated with said electronic terminal that is transmitted to said access station,
- communicating connection information back to said electronic terminal for use in establishing a second communications link **between said electronic terminal and said service provider**, and

- **a service provider that monitors a time of said second communications link and transmits data indicative of said time to said access station.**

It will be noted that in Mansey billing takes place at the IP 14 (which the Office Action submits corresponds with the access station of the present invention). In particular, Mansey discloses APIs at the billing server 22 for "opening the billing process, populating the billing elements with the appropriate billing information, such as the date of the transaction, connect time of the transaction, disconnect time of the transaction, originating telephone number, the terminating telephone number or numbers, type of service, billing type, billing rates, and cumulative charge amount... Once the API closes the billing process for a given service transaction, the raw billing data is composed into an acceptable format **and sent to the billing computer system 28 for the network service provider.**"

Clearly, Mansey does not disclose the limitation of the present invention "wherein said **service provider** monitors a time of said second communications link and **transmits data indicative of said time to said access station.**"

In view of the above, it is submitted that claim 1 of the present application is allowable. As claims 2-8 depend on claim 1 they are also allowable.

Claims 9-11

Claim 9 relates to:

"A system for accessing an electronic network, said system comprising:

an electronic network **service provider**;

an **access station**;

an electronic terminal for accessing said electronic network, said electronic terminal having an **associated identifier**, wherein said electronic terminal links with said access station via a first communications link and said access station stores data

indicative of said identifier, **transmits said data indicative of said identifier to said electronic network service provider via a second communication link**; and provides said electronic terminal with an identifier associated with said electronic network service provider for use by said electronic terminal in linking with said electronic network service provider wherein, once a link between said electronic terminal and said electronic network service provider is established, said electronic network **service provider** monitors a number of time units associated with said established link and **transmits data indicative of said time units to said access station** for use in billing matters.”

In view of the discussion above, it is submitted that Mansey does not disclose or even suggest all the limitations of claim 9. Accordingly, it is submitted that claim 9 is allowable. As claims 10 and 11 are dependent upon claim 9, they are also allowable.

Claims 12-17

Claim 12 relates to:

“A method of **accessing the Internet** with an electronic terminal and **via an Internet service provider (ISP)**, said electronic terminal having an associated identifier, said method comprising:

initially linking said electronic terminal with an access station via a first communications link;

establishing an account at said access station corresponding to said electronic terminal;

transmitting from said access station to said electronic terminal ISP connection information pertaining to said ISP;

using said connection information to link said electronic terminal with said ISP via a second communications link;

monitoring time units associated with said second communications link at the ISP;

multiplying said time units by a monetary rate to thereby obtain billing data; and
associating said billing data with said established account for billing purposes.”

Mansey does not disclose the limitation of claim 12 of “transmitting from said access station to said electronic terminal **ISP connection information pertaining to said ISP**” and “**using said connection information to link said electronic terminal with said ISP via a second communications link.**” Further, Mansey does not disclose “monitoring time units associated with said second communications link **at the ISP.**”

In view of the above it is submitted that claim 12 is also allowable. As claims 13-17 depend upon claim 12, they are also allowable.

Claims 19 and 20

Claim 19 relates to:

“A method of **accessing the Internet** with an electronic terminal and via an Internet service provider (ISP), said electronic terminal having an associated identifier, said method comprising:

initially linking said electronic terminal with an access station via a first communications link;

establishing an account at said access station corresponding to said electronic terminal;

transmitting from said access station to said electronic terminal ISP connection information pertaining to said ISP;

using said connection information to link said electronic terminal with said ISP via a second communications link; and
associating billing data with said established account at said ISP for billing purposes.”

Mansey does not disclose “**transmitting from said access station to said electronic terminal ISP connection information pertaining to said ISP**” and “**using**

said connection information to link said electronic terminal with said Internet service provider via a second communications link."

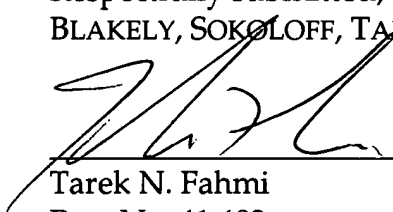
In view of the above it is submitted that claim 19 is also allowable. As claim 20 depends upon claim 12, it is also allowable.

Having tendered the above remarks, Applicants respectfully submit that all rejections have been addressed and that the claims are now in a condition for allowance, which is earnestly solicited.

If there are any additional charges, please charge Deposit Account No. 02-2666. If a telephone interview would in any way expedite the prosecution of the present application, the Examiner is invited to contact André Marais at (408) 947-8200 ext. 204.

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Respectfully submitted,
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